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12 MAY 2006

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Application No. 99 916 477.5 - 2215	Ref. CJS0314	Date 08.05.2006
Applicant X2Y Attenuators, L.L.C.		

Communication pursuant to Article 96(2) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(1) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

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from the notification of this communication, this period being computed in accordance with Rules 78(2) and 83(2) and (4) EPC.

One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (Rule 36(1) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Article 96(3) EPC).



Plathner, B-D
Primary Examiner
for the Examining Division

Enclosure(s): 5 page/s reasons (Form 2906)

AD
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**Bescheld/Protokoll (Anlage)**

Datum
Date 08.05.2006

Communication/Minutes (Annex)

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Notification/Procès-verbal (Annexe)

Anmelde-Nr.:
Application No.: 99 916 477.5
Demande n°:

The examination is being carried out on the following application documents:

Description, Pages

1-35 as originally filed

Claims, Numbers

1-25 filed with entry into the regional phase before the EPO

Drawings, Sheets

1/25-25/25 as originally filed

1 Prior Art.

- In this communication the following documents, cited in the search report, will be referred to: The numbering will be maintained throughout the proceedings:

D7: JP8172025

2 Lack of Unity of Invention (Art. 82 EPC)

The search division found the present application to lack unity of invention in



accordance with Art. 82 EPC and to comprise following groups of inventions:

- 1) Claims 1-3:
A differential and common mode filter assembly providing capacitive elements for electrical circuit conditioning.
- 2) Claims 4-10:
Through-hole apertures and conductive trace arrangements on carriers for surface mounted devices such as differential and common mode filters.
- 3) Claims 11-13:
A rectangular conductive frame providing strain relief on a carrier for surface mounted devices such as differential and common mode filters.
- 4) Claims 14-22:
An arrangement of a motor with a carrier for surface mounted device components such as differential and common mode filters, so that the motor's rotor passes through the carrier.
- 5) Claims 23-25:
A circuit arrangement comprising a differential and common mode filter on a carrier and connected between a source and a load;

The examining division agrees with the findings of the search division and confirms that the only single concept linking together the independent claims (Art. 82 EPC) could be regarded as being a differential and common mode filter.

Such filters are generally known, see e.g. Fig. 1 and 2 of JP8172025 (D7), cited in the supplementary partial european search report. Consequently, the above mentioned groups of inventions are not so linked as to form a single general inventive concept (Art. 82 EPC).



- Following the communication pursuant to Rule 46(1) EPC, the applicant has chosen not to pay additional search fees. The examination procedure is therefore only restricted to the subject matter of the claims forming the first mentioned invention, as defined in the search report.

If the applicant wishes to proceed with the application, he is requested to file a new set of claims based on the first mentioned invention, and excise the remaining claims. The description should also be adapted accordingly.

The subject-matter to be excised may be made the subject of one or more divisional applications. The divisional applications must be filed directly at the European Patent Office in Munich or its branch at The Hague and in the language of the proceedings relating to the present application, Art. 76(1) and Rule 4 EPC. The time limit for filing divisional applications (Rule 25(1) EPC) must be observed.

2 Main Objections

2.1 Novelty (Art. 52(1), and 54(1-4) EPC

- The application does not satisfy the requirements of Art. 52(1) EPC since the subject matter of claim 1 lacks novelty.

Using as far as possible the wording of claim 1, document D7 discloses the following; the references in brackets referring to the document D7:

A carrier electrical circuit conditioning assembly comprising:

at least one differential and common mode filter (Fig. 3) having at least a first (Fig. 1, ref. 6a) and second (Fig. 1, ref. 6b) differential electrode band and at least one common ground conductive band (Fig. 1, ref. 5);

a conductive ground surface (Fig. 2, ref. 9b) electrically connected to said at least one common ground conductive band; and

at least two signal conductors (Fig. 2, ref. 7,8) electrically connected between said first and second differential electrode bands with both of said at least two signal conductors electrically isolated from one another and from said common ground conductive band;



wherein said at least one differential and common mode filter provides at least one capacitive element (Fig. 3, ref. 10,11) electrically connected between said at least two signal conductors;

wherein said at least one differential and common mode filter provides at least two capacitive elements, one (Fig. 3, ref. 10) electrically connected between said first signal conductor and said ground conductive surface and the other (Fig. 3, ref. 11) electrically connected between said second signal conductor and said ground conductive surface; and

wherein said at least one differential and common mode filter provides electrical isolation between said at least two signal conductors.

Since all features of claim 1 are known from the document D7, the subject matter of the claim is not new, Art. 54 EPC, therefore the requirements of Art. 52(1) EPC are not satisfied.

3 Further Points

- The dependent claims appear not to claim any additional features which render them new with respect to the available prior art. In particular the following points are noted:

Due to the compact structure of the circuit conditioning assembly of D7, said conductive ground surface in combination with said differential and common mode filter minimizes the effects of stray capacitance, thereby decreasing the level of electrical noise coupled onto said two signal conductors and increasing the attenuation and filtering provided by said differential and common mode filter.

- It is not at present apparent which part of the application could serve as a basis for a new, allowable claim. Should the applicant nevertheless regard some particular matter as patentable, an independent claim should be filed taking account of Rule 29(1;2) EPC.

The applicant is requested to indicate in the letter of reply the difference of the subject-matter of the new claim vis-à-vis the state of the art and the significance thereof.

**Bescheld/Protokoll (Anlage)**

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Notification/Procès-verbal (Annexe)

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Application No.: 99 916 477.5
Demande n°:

- In filing any new documents, the applicant is kindly reminded that Art. 123(2) EPC requires that such subject matter thereof may not extend beyond that which was originally filed. In order to make examination more efficient the examiner requests the applicant to indicate in the letter of reply where there is a basis for any amendments in the application as originally filed. It may be appropriate to do this by including marked up copies of the amended pages.
- The statement on the last paragraph of the description ("spirit of invention"), implies that the extent of protection extends beyond the scope of the claims, the applicant is asked to amend this statement in such a way that it is clear that the scope of the invention is defined by the claims, see Guidelines C III 4.3a.
- The description refers to other documents as being incorporated into the application "by reference". This statement implies that the scope of the application documents extend beyond that which was originally filed. The statement should be removed in accordance with the Guidelines, C II 4.18.